

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/670,393	JOZAKI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	David D. Le	3681	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a request for continued examination.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                       |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>09/22/05</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance              |
|  | 9. <input type="checkbox"/> Other _____.  |

### **DETAILED ACTION**

1. This is the third Office action on the merits of Application No. 10/670,393, filed on 26 September 2003. Claims 1-14 are pending.

### **Documents**

2. The following documents have been received and filed as part of the patent application:
  - Information Disclosure Statement, received on 12/23/03
  - Drawings, received on 01/07/04
  - Drawing, received on 04/08/05
  - Information Disclosure Statement, received on 09/22/05

### ***Continued Examination Under 37 CFR 1.114***

3. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11 October 2005 has been entered.

### EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicants' attorney, Michael D. White, on 06 December 2005.

The application has been amended as follows:

Claim 1:

- Line 21, "for said driving step motor" has been amended as --for driving said step motor--.

Claim 9:

- Line 4, "said memorized step position ASTP" has been amended as --said step position ASTP--.

Claim 14:

- Line 3, "one or more of" has been deleted;
- Line 4, "a step position ASTP" has been amended as --said step position ASTP--.

*Allowable Subject Matter*

5. Claims 1-14 are allowed.
6. The following is an examiner's statement of reasons for allowance:

Claim 1:

The prior art of record fails to show or render obvious a speed changed ratio control unit for a continuously variable transmission comprising a computing device, a storage, an input rotation detection means, an output rotation detection means, an actual speed change ratio calculation means, a step-out determination means, a step-out correction means, and a drive means, as recited in the claim; specifically, wherein the step-out determination means determines a step-out by comparing the step position ASTP of the step motor stored by the storage with a step position BSTP of the step motor corresponding to the calculated actual speed change ratio at every predetermined operation cycle; when the step-out is determined by the step-out determination means, the step-out correction means corrects the ASTP to reduce a difference between the ASTP and BSTP; and the drive means uses the corrected ASTP to drive the step motor.

Claim 8:

The prior art of record fails to show or render obvious a speed changed ratio control unit for a continuously variable transmission comprising a computing device, a storage, an input rotation detection means, an output rotation detection means, an actual speed change ratio, a step-out determination means, a step-out correction means, and a

drive means, as recited in the claim; specifically, wherein the step-out determination means determines a step-out by comparing the step position ASTP of the step motor stored by the storage with a step position BSTP of the step motor corresponding to the calculated actual speed change ratio at every predetermined operation cycle; when the step-out is determined by the step-out determination means, the step-out correction means corrects the ASTP in the direction which lessens the difference between the ASTP and BSTP; and the drive means uses the corrected ASTP to drive the step motor.

Claim 10:

The prior art of record fails to show or render obvious a speed changed ratio control unit for a continuously variable transmission comprising a computing device, a storage, an input rotation detection means, an output rotation detection means, an actual speed change ratio, a step-out determination means, a step-out correction means, and a drive means, as recited in the claim; specifically, wherein the step-out determination means determines a step-out by comparing the step position ASTP of the step motor stored by the storage with a step position BSTP of the step motor corresponding to the calculated actual speed change ratio at every predetermined operation cycle; and wherein, when the change of a speed change ratio results in a state below a predetermined value, a step-out is determined by the step-out determination means, the step-out correction means corrects the ASTP in the direction which lessens the difference between the ASTP and BSTP, and the drive means uses the corrected ASTP to drive the step motor.

Claim 11:

The prior art of record fails to show or render obvious a speed changed ratio control unit for a continuously variable transmission comprising a computing device, a storage, an input rotation detection means, an output rotation detection means, an actual speed change ratio, a step-out determination means, a step-out correction means, and a drive means, as recited in the claim; specifically, wherein the step-out determination means determines a step-out by comparing the step position ASTP of the step motor stored by the storage with a step position BSTP of the step motor corresponding to the calculated actual speed change ratio at every predetermined operation cycle; and wherein, when the acceleration or deceleration of the step motor is below a predetermined value, a step-out is determined by the step-out determination means, the step-out correction means corrects the ASTP in the direction which lessens the difference between the ASTP and BSTP, and the drive means uses the corrected ASTP to drive the step motor.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 571-272-7092. The examiner can normally be reached on Mon-Fri (0700-1530).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ddl

  
CHARLES A. MARMOR  
SUPERVISORY PATENT EXAMINER  
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